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ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**ORACLE'S PROFFER REGARDING  
DR. MARK REINHOLD'S PHASE II  
TESTIMONY**

Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William Alsup

1 Oracle offers the following proffer regarding what it expects Dr. Mark Reinhold will  
2 testify to during Phase II.

3 Oracle expects that Dr. Reinhold will explain the relationship between Java SE and Java  
4 ME. In particular, he will quantify the degree of overlap between Java ME and Java SE, and  
5 testify as to material added to ME from SE, including Java SE versions 1.4 and 5.0, and later  
6 versions of Java ME. He will also testify regarding the copyright registration of those works.  
7 Oracle also expects that Dr. Reinhold will testify regarding the importance of APIs and declaring  
8 code to app programmers (rather than API re-implementers). In particular, Dr. Reinhold will  
9 explain that the declaring code is necessary for app programmers to access and use the functions  
10 provided in the APIs.

11 This testimony should come as no surprise to Google. It was disclosed in Oracle's Rule  
12 26(a)(2)(C) disclosure. Oracle disclosed that Dr. Reinhold:

- 13 • "may present testimony on the history of the Java platform, including Java SE and  
14 ME and the relationship between ME and SE, and on the composition, structure,  
15 and function of components of the Java platform, including the Java language, the  
16 Java APIs, and the Java virtual machine;"
- 17 • "may also present testimony on Java API structure, design, and functional aspects,  
18 including the relationship between implementing code and declaring code in the  
19 Java platform;"
- 20 • "may testify regarding the structure, sequence, and organization (the 'SSO') of the  
21 Java API packages and the significance and importance of the SSO;"
- 22 • "may testify specifically regarding the SSO and declaring code copied by Google  
23 and testify that what Google took is an important part of Java;" and
- 24 • "may also present testimony regarding the value and quality of the 37 Java API  
25 packages and Oracle's investment in Java and its importance."

26 Oracle's 2/29/2016 Supplemental Rule 26(a)(2)(C) Disclosure.  
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1 Dated: May 23, 2016

Respectfully submitted,

2 Orrick, Herrington & Sutcliffe LLP

3 By: /s/ Annette L. Hurst

4 Annette L. Hurst

5 Counsel for ORACLE AMERICA, INC.

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